

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT COURT OF DELAWARE**

VINCENT WADE PARSON, individually,	)	
	)	C.A. NO.
<i>Plaintiff,</i>	)	
	)	
vs.	)	
	)	
STEVEN PATRICK ZANONI, individually	)	
	)	
<i>Defendant.</i>	)	

**COMPLAINT**

Plaintiff, Vincent Wade Parson, through his counsel, David P. Cline, Esquire, says  
by way of Complaint that:

**JURISDICTION**

**I. JURISDICTION BASED ON DIVERSITY OF CITIZENSHIP**

1. Jurisdiction is based on diversity of citizenship and the amount in controversy exceeds Seventy Five Thousand Dollars (\$75,000), exclusive of interest and costs.
2. Jurisdiction is based on diversity of citizenship under 28 U.S.C. § 1332.

**VENUE**

3. Venue lies under 28 U.S.C. § 1391.

**PARTIES**

4. Plaintiff, Vincent Wade Parson, is and was at all times pertinent hereto a resident of the state of Delaware, residing at 4 Egert Court, P.O. Box 9930, Newark, Delaware 19714.

5. Defendant, Steven Patrick Zaroni, an individual, upon information and belief, is believed at all times pertinent hereto, to be a resident of the state of Pennsylvania, residing at 152 Hunters Ridge Road, Jennerstown, Pennsylvania 15547.

**COUNT I**

**FACTS OF ACCIDENT**

1. On September 05, 2006, at approximately 8:07 p.m., plaintiff, Vincent Wade Parson, was operating a 2006 Lincoln Town Car while traveling northbound on Rt. 52 in the State of Pennsylvania, Pennsbury Township, Chester County, when he approached a red light at the intersection of Rt. 52 and Rt. 926 and made a complete stop at the traffic light.

2. At the same time and place, defendant, Steven Patrick Zaroni, was operating his vehicle, a 1997 Honda Civic, also heading northbound on Rt. 52 at Route 926, Pennsbury Township, Chester County, Pennsylvania and operated his vehicle in a negligent, careless and/or reckless manner, causing his vehicle to violently collide into the rear end of plaintiff, Vincent Wade Parson's vehicle.

3. This incident was the result of the negligence, carelessness, and /or recklessness of the defendant, Steven Patrick Zaroni, and caused in no manner whatsoever to any act or failure to act on the part of the plaintiff, Vincent Wade Parson.

4. The aforesaid negligence, carelessness, and /or recklessness of the defendant, Steven Patrick Zaroni, consisted of action in which he:

a. Did operate his motor vehicle without due regard for the rights, safety and position of the plaintiff, at the time and place aforesaid;

b. Did fail to give proper and sufficient warning or the approach of the motor vehicle under his control;

c. Failed to have his vehicle under proper and adequate control at the time;

d. Did fail to adhere to the rules of the road concerning the legal distance one must keep from another vehicle in order to safely operate a motor vehicle, and in the operation of motor vehicles on public highways;

e. Did fail to maintain a proper lookout;

f. Did fail to keep his vehicle under control and violently struck the plaintiff's vehicle;

5. As a result of the negligence, carelessness, and /or recklessness of the defendant, Steven Patrick Zaroni, plaintiff, Vincent Wade Parson suffered serious bodily injuries including, but not limited to: neck and back pain, multiple herniated discs in his lumbar and cervical regions, constant lower-back pains and soreness, and an inability to resume his normal activities of daily living which may be permanent in nature.

#### **COUNT II MEDICAL**

6. As a result of the negligence, carelessness, and /or recklessness of the defendant, Steven Patrick Zaroni, plaintiff, Vincent Wade Parson suffered serious bodily injuries which have required medical treatment and costs which may continue into the indefinite future.

**COUNT III LOST WAGES**

7. As a further result of the injuries mentioned above, plaintiff, Vincent Wade Parson, has sustained a loss of earnings and/or earnings capacity, which may continue into the indefinite future.

WHEREFORE, Plaintiff, Vincent Wade Parson, demands judgment against defendant, Steven Patrick Zanoni for monetary damages, property damages, pain and suffering, medical expenses, lost wages, attorney fees and costs of suit.

Dated: September 03, 2008

BY:  /s/ David P. Cline

David P. Cline, Esq. (DE # 2681)  
715 N King Street Suite 100, PO Box 33  
Wilmington, DE 19899-0033  
(302) 529-7848  
Attorney for Plaintiff

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

**I. (a) PLAINTIFFS**

Vincent Wade Parson, individually

(b) County of Residence of First Listed Plaintiff New Castle County  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

David P. Cline, Esq., 715 N. King, Ste. 100, Wilm., DE  
9801- 302-529-7848

**DEFENDANTS**

Steven Patrick Zanoni, individually

County of Residence of First Listed Defendant Somerset County  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE  
LAND INVOLVED.

Attorneys (If Known)

**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   |                                       |                                       |   |                            |                            |
|---|---------------------------------------|---------------------------------------|---|----------------------------|----------------------------|
|   | PTF                                   | DEF                                   |   | PTF                        | DEF                        |
| Citizen of This State                   | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1            | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2            | <input checked="" type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3            | <input type="checkbox"/> 3            | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

<b>CONTRACT</b>	<b>TORTS</b>	<b>FORFEITURE/PENALTY</b>	<b>BANKRUPTCY</b>	<b>OTHER STATUTES</b>
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input checked="" type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <b>PERSONAL INJURY</b> <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395f) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b>	<b>CIVIL RIGHTS</b>	<b>PRISONER PETITIONS</b>		
<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 510 Motions to Vacate Sentence <b>Habeas Corpus:</b> <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition		

**V. ORIGIN**

(Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from another district (specify)
- ☐ 6 Multidistrict Litigation
- ☐ 7 Appeal to District Judge from Magistrate Judgment

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
28 U.S.C. Section 1332

Brief description of cause:  
Motor Vehicle Accident Personal Injury

**VII. REQUESTED IN COMPLAINT:**

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☒ No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER

DATE

09/03/2008

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

AO FORM 85 RECEIPT (REV. 9/04)

United States District Court for the District of Delaware

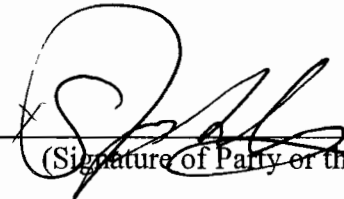
Civil Action No. 08 - 557

**ACKNOWLEDGMENT**  
**OF RECEIPT FOR AO FORM 85**

**NOTICE OF AVAILABILITY OF A**  
**UNITED STATES MAGISTRATE JUDGE**  
**TO EXERCISE JURISDICTION**

I HEREBY ACKNOWLEDGE RECEIPT OF 1 COPIES OF AO FORM 85.

9/3/08  
(Date forms issued)

  
(Signature of Party or their Representative)

X SHAZIM UPPAL  
(Printed name of Party or their Representative)

**Note: Completed receipt will be filed in the Civil Action**